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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID BYRD,

Defendant.

CASE NO. 2:24-CR-00012-TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: July 18, 2024
TIME: 9:30 a.m.
COURT: Hon. Troy L. Nunley

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on July 18, 2024.
2. By this stipulation, defendant now moves to continue this matter for a status conference and potential Change of Plea on August 22, 2024, and to exclude time between July 18, 2024, and August 22, 2024, under Local Code T4.
3. The parties agree and stipulate and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes multiple wiretap recordings and hundreds of pages of reports and photographs. This discovery has been either produced directly to counsel and/or made available for inspection and copying.

1 b) Counsel for defendant desires additional time to review the evidence, discuss trial
2 strategy with his client, research sentencing exposure, and otherwise prepare for trial.

3 c) Counsel for defendant believes that failure to grant the above-requested
4 continuance would deny him/her the reasonable time necessary for effective preparation, taking
5 into account the exercise of due diligence.

6 d) The government does not object to the continuance.

7 e) Based on the above-stated findings, the ends of justice served by continuing the
8 case as requested outweigh the interest of the public and the defendant in a trial within the
9 original date prescribed by the Speedy Trial Act.

10 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
11 et seq., within which trial must commence, the time period of July 18, 2024 to August 22, 2024,
12 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
13 because it results from a continuance granted by the Court at defendant's request on the basis of
14 the Court's finding that the ends of justice served by taking such action outweigh the best interest
15 of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 16, 2024

PHILLIP A. TALBERT
United States Attorney

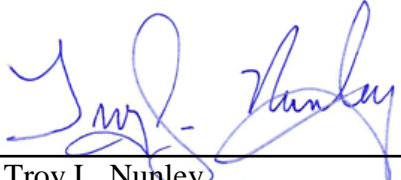
/s/ CAMERON L. DESMOND
CAMERON L. DESMOND
Assistant United States Attorney

Dated: July 16, 2024

/s/ Timothy Warriner
Timothy Warriner
Counsel for Defendant
DAVID BYRD

ORDER

IT IS SO FOUND AND ORDERED this 16th day of July, 2024.



Troy L. Nunley
United States District Judge